EXPEDITED PROCEDURE-EXAMINING GROUP 2623

S/N 09/903,458 **PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Kuriacose Joseph et al.	Examiner: Reuben Brown
Serial No.:	09/903,458	Group Art Unit: 2623
Filed:	July 10, 2001	Docket No.: 2050.001US4
Customer No.: 44367		Confirmation No.: 9044
Title:	APPARATUS FOR TRANSMITTING AND RECEIVING EXECUTABLE APPLICATIONS AS FOR A MULTIMEDIA SYSTEM, AND METHOD AND SYSTEM TO ORDER AN ITEM USING A DISTRIBUTED COMPUTING SYSTEM	

AMENDMENT & RESPONSE UNDER 37 C.F.R. 1.116

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Commissioner for Patents
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Alexandria, VA 22313-1450

In response to the Final Office Action dated August 21, 2008, please amend the application as follows:

IN THE CLAIMS

Please amend the claims as follows:

1. (Original) A distributed computer system comprising:

a source of a data stream providing a series of time division multiplexed packets, ones of which contain auxiliary data that represent a video program, and others of which represent a distributed computing application associated with said video program, and wherein said distributed computing application is repetitively transmitted independent of receiving client computer apparatus during times that said video program is transmitted;

a client computer, which includes a packet selector connected to said source for selecting and directing packets containing said auxiliary data representing said video program to a video signal processor and selecting and directing packets containing said associated distributed computing application to a further processor; and

said further processor including means to assemble said distributed computing application and execute said distributed computing application to form an interactive video program in which execution of said distributed computing application alters said video program.

2. (Original) The distributed computer system of claim 1 wherein said further processor includes a graphics adapter for creating graphical images and interactively combining said graphical images with said video program.

3. (Original) The distributed computer system of claim 1 wherein said video program is a television program and said further processor includes a graphics adapter for creating graphical images and interactively combining said graphical images with said television program.

4. (Original) The distributed computer system of claim 1 wherein said further processor includes a sound adapter for creating synthesized sound and interactively combining said synthesized sound with said video program.

5. (Original) The distributed computer system of claim 1 wherein said further processor includes memory for storing program controls and responsive thereto requests of said packet selector a code and/or data module from the data stream.

6. (Original) A distributed computer system comprising:

a source of a time division multiplexed packet signal including a plurality of distributed computing applications, each distributed computing application being repetitively transmitted independent of receiving client computer apparatus, and each of said distributed computing applications being in a form of a series of packcts;

a first one of packcts of a respective series containing data representing an executable code module and including identification information indicating that the first one of packets of said series contains data representing said executable code module;

a second one of packets of the series contains data representing a data module and includes identification information indicating that said second one of packets contains data representing the data module; and

a third one of packets of the series contains auxiliary data and includes identification information indicating that the third one of packets contains auxiliary data;

a client computer including a data receiver for selecting packets of one of the plurality of distributed computing applications, and extracting the corresponding distributed computing application representative data included in the selected packets and applying it to computer program controlled apparatus for executing the extracted distributed computing application, said data receiver extracting auxiliary data from auxiliary packets in the data stream and supplying it to an auxiliary data processor.

7. (Original) A distributed computer system comprising:

a data stream source producing a data stream including a series of packets representing a plurality of time division multiplexed signals, one of said signals including data representing a distributed computing application, which distributed computing application is repetitively transmitted independent of receiving client computer apparatus, and at least one of the packets of the signal representing the distributed computing application includes a directory module containing information inter-relating packets associated with said distributed computing application;

a client computer, receiving the data stream, extracting the distributed computing application representative data from the data stream, and executing the extracted distributed computing application; and wherein

the client computer extracts said directory module from the data stream and using data contained in the directory module extracts packets associated with said distributed computing application and builds said distributed computing application and executes said distributed computing application.

8. (Original) The computer system of claim 7, wherein:

a first one of the series of packets contains data representing an executable code module and includes identification information indicating that the first one of the series of packets contains data representing an executable code module;

a second one of the series of packets contains data representing a data module and includes identification information indicating that the second one of the series of packets contains data representing a data module;

a third one of the series of packets contains data representing said directory module inter-relating respective transmitted modules associated with a single distributed computing application, and includes identification information indicating that the third one of the series of packets contains data representing said directory module; and

a fourth one of the series of packets contains auxiliary data and includes identification information indicating that the fourth one of the series of packets contains auxiliary data.

9. (Original) In a distributed computer system, a client computer, comprising:

an input terminal for receiving a packet data stream including packets of video signal time multiplexed with packets of data representing a distributed computing application which distributed computing application is repetitively transmitted independently of said client computer and at least one of the packets representing the distributed computing application includes a directory containing information inter-relating ones of the packets containing said distributed computing application;

a data stream receiver, coupled to said input terminal, for receiving the data stream, providing separate data streams of said video signal and said distributed computing application, extracting said directory packet and responsive to the directory, extracting packets containing said distributed computing application representative data; and

a processing unit, coupled to the data stream receiver, for assembling said distributed computing application and executing the distributed computing application comprising:

a system bus;

read/write memory, coupled to the system bus;

a data stream input/output adapter, coupled between the data stream receiver and the system bus, for receiving the extracted distributed computing application representative data from the data stream receiver, and storing it in the read/write memory, and having a control output terminal coupled to the selection control input terminal of the data stream selector, for producing the selection control signal; and

a processor, coupled to the system bus, for controlling the data stream input/output device to generate a selection control signal selecting a specified one of the plurality of data streams, and for assembling and executing the distributed computing application stored in the read/write memory.

10-245. (Cancelled)

246. (Previously Presented) A method implemented in an interactive television (TV) system, the method comprising:

receiving data, some of which represents video and some of which represents a computing application;

causing the video to be displayed;

executing the computing application to cause display of interactive information;

using one or more of the displayed video and the interactive information to present information associated with an offering;

detecting interaction caused by a viewer; and

responding to the detected interaction by causing an order for the offering to be placed.

247. (Previously Presented) The method of claim 246, wherein the interaction caused by a user is associated with a single command.

248. (Previously Presented) The method of claim 247, wherein the single command is selecting a single button.

249. (Previously Presented) The method of claim 247, wherein the single command is pressing a single button on a television (TV) remote control.

250. (Previously Presented) The method of claim 246, wherein the causing of the order for the offering to be placed is achieved by using information related to the offering and to personal information of the viewer.

251. (Previously Presented) The method of claim 250, wherein the personal information of the viewer is stored at a client, the client being from an interactive television system comprising at least one client and at least one server.

252. (Previously Presented) An interactive television system, the system comprising:

a receiver to receive data to be used by a computing application; and

a processing unit to:

cause the video to be displayed;

execute the computing application to cause display of interactive information;

use one or more of the displayed video and the interactive information to present information associated with an offering;

detect interaction caused by a viewer; and

respond to the detected interaction by causing an order for the offering to be placed.

253. (Previously Presented) The interactive television system of claim 252, wherein the interaction caused by a user is associated with a single command.

254. (Previously Presented) The interactive television system of claim 253, wherein the single command is selecting a single button.

255. (Previously Presented) The interactive television system of claim 253, wherein the single command is pressing a single button on a television (TV) remote control.

256. (Previously Presented) The interactive television system of claim 252, wherein the causing of the order for the offering to be placed is achieved by using information related to the offering and to personal information of the viewer.

257. (Previously Presented) The interactive television system of claim 256, wherein the personal information of the viewer is stored at a client, the client being from an interactive television system comprising at least one client and at least one server.

258. (Previously Presented) A machine-readable medium having instruction data to cause a machine to:

receive data to be used by a computing application;

cause the video to be displayed;

execute the computing application to cause display of interactive information;

use one or more of the displayed video and the interactive information to present information associated with an offering;

detect interaction caused by a viewer; and

respond to thc detected interaction by causing an order for the offering to be placed.

REMARKS

This responds to the Final Office Action dated August 21, 2008.

No claims are amended, no claims are canceled, and no claims are added; as a result, claims 1-9 and 246-258 remain pending in this application.

Claims 246-258

Claims 246-258 are not rejected in the Office action. It is submitted that claims 246-258 are in condition for allowance, of which a prompt notice is respectfully requested.

§103 Rejection of the Claims

Claims 1-9 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Wendorf (U.S. Patent No. 5,469,431) in view of the US patent referred to by the Office action as Jeffers and identified as U.S. Patent No. 4,271,069.

It is respectfully pointed out that U.S. Patent No. 4,271,069, issued to Tsong and titled "Beta HCG Prcparation and Method," is not related to the subject matter of any of the claims 1-9. Applicants assume that Examiner intended to refer to U.S. patent no. 4,247,106 issued to Jeffers.

With respect to claim 1, the Office action correctly states that Wendorf does not disclose or suggest a distributed computing application and refers to Jeffers that is related to a system arrangement for distribution and use of video games (Jeffers, Title). Specifically, the Office action cites Jeffers at 1: 15-40, 1: 35-45, and 2: 1-15 and states that "[t]he video game software of Jeffers meets the claimed distributed computing application." (Detailed action mailed 8/21/08, page 3.) It is submitted that a reference to video game software does not amount to a computing application that is a distributed computing application. There is no indication that a television game in Jeffers is a distributed computing application. Thus, Jeffers, whether considercd separately or in combination with Wendorf, fails to disclose or suggest a "distributed computing application," as recited in claim 1.

The Office action does not address all of the features of claim 1. For instance, while citing Jeffers to show a computing application, the Office action does not discuss a distributed computing application being associated with a video program that is represented by auxiliary data contained in ones of a series of time division multiplexed packets. It is submitted that these features are not disclosed or suggested by the combination of Wendorf and Jeffers.

The Office action refers to program guide map tables in Wendorf that may be cyclically updated (Detailed action, page 3), but does not address the feature wherein said distributed computing application (which is associated with a video program) is repetitively transmitted independent of receiving client computer apparatus and also that the repetitive transmission is during times that said video program is transmitted. It is submitted that these features are not disclosed or suggested by the combination of Wendorf and Jeffers.

The Office action submits that certain features of claim 1 (namely, "a client computer, which includes a packet selector connected to said source for selecting and directing packets containing said auxiliary data representing said video program to a video signal processor and selecting and directing packets containing said associated distributed computing application to a further processor; and said further processor including means to assemble said distributed computing application and execute said distributed computing application to form an interactive video program") are disclosed by the combination of Wendorf at 4: 16-30 and 8: 51-65 and Jeffers at 2: 55-65. The Office action does not explain which particular feature of Wendorf (or Jeffers) is considered to correspond to a packet selector, which feature is considered to correspond to a video signal processor to which packets containing said auxiliary data representing said video program are directed, which feature is considered to correspond to a further processor that includes means to assemble said distributed computing application and execute said distributed computing application to form an interactive video program. The Office action also does not explain which features in the combined references are considered to read on an interactive video program that is formed by executing of said distributed computing application by the further processor. It is submitted that these features are not disclosed or suggested by the combination of Wendorf and Jeffers.

The Office action does not address the feature of "in which execution of said distributed computing application alters said video program" recited in claim 1. It is submitted that the combination of Wendorf and Jeffers fails to disclose or suggest this feature.

Thus, because the combination of Wendorf and Jeffers fails to disclose or suggest all elements of claim 1, claim 1 and its dependent claims are patentable and should be allowed.

Claim 6 recites "a client computer including a data receiver for selecting packets of one of the plurality of distributed computing applications, and extracting the corresponding distributed computing application representative data included in the selected packets and applying it to computer program controlled apparatus for executing the extracted distributed computing application, said data receiver extracting auxiliary data from auxiliary packets in the data stream and supplying it to an auxiliary data processor." The Office action does not address the elements of this feature, e.g., "extracting the corresponding distributed computing application representative data" and "extracting auxiliary data from auxiliary packets in the data stream and supplying it to an auxiliary data processor." It is submitted that the combination of Wendorf and Jeffers fails to disclose or suggest the features of claim 6. Thus, because the combination of Wendorf and Jeffers fails to disclose or suggest all elements of claim 6, claim 6 is patentable and should be allowed.

The Office action states that a "directory module" recited in claim 7 is disclosed by the Service map discussed in Wendorf at 5: 49-65 and at 6: 35-51. Claim 7, however, recites "the client computer *extracts said directory module from the data stream* and *using data contained in the directory module extracts packets associated with said distributed computing application* and *builds said distributed computing application* and executes said distributed computing application." The Office action does not address these specific features. It is submitted that the combination of Wendorf and Jeffers fails to disclose or suggest the features of claim 7. Thus, because the combination of Wendorf and Jeffers fails to disclose or suggest all elements of claim 7, claim 7 and its dependent claim are patentable and should be allowed.

Claim 9, recites "receiving a packet data stream including packets of video signal time multiplexed with packets of data representing a distributed computing application which

distributed computing application is repetitively transmitted independently of said client computer and at least one of the packets representing the distributed computing application includes a directory containing information inter-relating ones of the packets containing said distributed computing application; a data stream receiver, coupled to said input terminal, for receiving the data stream, providing separate data streams of said video signal and said distributed computing application, extracting said directory packet and responsive to the directory, extracting packets containing said distributed computing application representative data." The Office action does not address specific features recited in claim 9, such as, e.g., "a packet data stream including packets of video signal time multiplexed with packets of data representing a distributed computing application" and "a distributed computing application ... repetitively transmitted independently of said client computer." It is submitted that the combination of Wendorf and Jeffers fails to disclose or suggest the features of claim 9. Thus, because the combination of Wendorf and Jeffers fails to disclose or suggest all elements of claim 9, claim 9 is patentable and should be allowed.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's representative at (408) 278-4052 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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Date October 20, 2008

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 20 day of September, 2008.

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